

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 18.2-423.1 of the Code of Virginia, relating to placing Nazi symbols or emblems on certain property with intent to intimidate; penalty.

[H 2783]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-423.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-423.1. Placing Nazi symbol or emblem on certain property with intent to intimidate; penalty; prima facie evidence of intent.

A. It ~~shall be~~ is unlawful for any person or persons, with the intent of intimidating another person or group of persons, to place or cause to be placed a *Hakenkreuz, hooked cross, or Nazi symbol or emblem, sometimes referred to as the Nazi swastika*, on (i) any church, synagogue, or other building or place used for religious worship; ~~or on~~; (ii) any school, educational facility, or community center owned or operated by a church or religious body; or (iii) *the private property of another without permission.*

B. *It is unlawful for any person or persons, with the intent of intimidating another person or group of persons, to place or cause to be placed a Hakenkreuz, hooked cross, or Nazi symbol or emblem, sometimes referred to as the Nazi swastika, on a highway or other public place in a manner having a direct tendency to place another person in reasonable fear or apprehension of death or bodily injury.*

C. A violation of this section ~~shall be~~ is punishable as a Class 6 felony.

D. For the purposes of this section, any such placing of a *Hakenkreuz, hooked cross, or Nazi symbol or emblem, sometimes referred to as the Nazi swastika*, shall be prima facie evidence of an intent to intimidate another person or group of persons. *However, these terms do not include and are distinct from the sacred swastika word and symbol of peace and prosperity used by Hinduism, Buddhism, Jainism, Zoroastrianism, or Native American religions.*

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.